

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	NO. 3:21-CR-00171
)	JUDGE RICHARDSON
[1] FADEL Y. ALSHALABI)	

**ORDER GRANTING DEFENDANT ALSHALABI RELEASE PENDING SENTENCING
AND MODIFYING CONDITIONS OF RELEASE**

On October 31, 2024, after the conclusion of a jury trial, Defendant Alshalabi (“Defendant”) was found guilty on various felony counts in the Second Superseding Indictment. After discharge of the jury, the Government asserted that Defendant, who had been out on conditions of release and an appearance bond, should be detained pending sentencing. The Court preceded to convene an immediate hearing on the issue of whether Defendant should be detained pending sentencing pursuant to 18 U.S.C. §3143(a). The Court found at that time that Defendant had not met his burden to show by clear and convincing evidence that he is not likely to flee, as required for his release pending sentencing under 18 U.S.C. §3143(a). Accordingly, the Court ordered him detained at least temporarily (Doc. No. 492, “Order of Detention”). But the Court set a sentencing hearing for November 4, 2024, to allow Defendant an additional opportunity to meet his burden. Thereafter, Defendant filed a formal motion memorializing in writing his request for release pending sentencing (Doc. No. 496, “Motion for Release”), together with 11 exhibits thereto (Doc. Nos. 496-1 through Doc. No. 496-10).

At the conclusion of the detention hearing held on November 4, 2024, the Court found that (with the modifications of Defendant’s conditions of release noted below), Defendant had shown

by clear and convincing evidence that he did not pose a danger to other persons or the community (which was undisputed) and that he was not likely to flee. Accordingly, the Motion for release (Doc. No. 496) is GRANTED, the Order of Detention is revoked, and Defendant is hereby released under the same conditions previously imposed (as reflected in Doc. No. 24-10), with the following modifications:

1. As reflected in the attached “Additional Conditions of Release form”: (a) the daily duration of Defendant’s curfew is expanded to **9:00 p.m. to 7:00 a.m.**; and (b) Defendant’s brother, Nour Alshalabi, shall serve as third-party custodian of Defendant.
2. Defendant is permitted to travel on **November 4 and 5, 2024**, as necessary, from the Middle District of Tennessee to Kentucky to retrieve his belongings and to then travel from Kentucky (passing through Tennessee as appropriate) to his residence of record in North Carolina.

IT IS SO ORDERED.


ELI RICHARDSON
UNITED STATES DISTRICT JUDGE